
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
James Emmitt Jacobs)	
)	File Nos. EB-09-PO-0074
Longview, Washington)	EB-10-PO-0003
)	EB-10-PO-0004
)	
)	NOV No. V201032920006

NOTICE OF VIOLATION

Released: January 14, 2010

By the Resident Agent, Portland Resident Agent Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to James Emmitt Jacobs, licensee of a Citizens Band ("CB") station in Longview, Washington.

2. On January 7, 2010, in response to complaints, an agent from the Enforcement Bureau's Portland Resident Agent Office monitored Jacobs' CB station located inside a vehicle outside Jacobs' residence in Longview, Washington, and observed the following violations:

- a. 47 C.F.R. § 95.413(a)(4) (CB Rule 13) states: "You must not use a CB station to transmit one-way communications, except for emergency communications, traveler assistance, brief tests (radio checks), or voice paging." On January 7, 2010, the agent monitored Jacobs' transmissions and observed that Jacobs was transmitting one-way communications from the CB station.
- b. 47 C.F.R. § 95.413(a)(6) (CB Rule 13) states: "You must not use a CB station to transmit music, whistling, sound effects or any material to amuse or entertain." On January 7, 2010, the agent monitored Jacobs' transmissions and observed that Jacobs was transmitting music from the CB station.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, James Emmitt Jacobs, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by you. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Portland Resident Agent Office
P.O Box 61469
Vancouver, WA 98666-1469

4. This Notice shall be sent to James Emmitt Jacobs at his address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Binh Nguyen
Resident Agent
Portland Resident Agent Office
Western Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*